

Adopted effective December 19, 2002.

PART III. CIVIL RULES

Rule 31. Designated Agent for Civil Actions

Any full-time officer or employee of a corporation, sole proprietorship, partnership or unincorporated association may be designated by such entity as agent for purposes of representing it in civil actions to which it is a party in magistrate court. An action on behalf of a corporation, sole proprietorship, partnership, or unincorporated association, except affidavits in attachment, may be filed and presented by such designated agent.

Former Rule 14 renumbered as new Rule 31 effective October 28, 1993.

Rule 32. Filing of Civil Actions by Mail

Civil actions may be filed in magistrate court by mail providing such an action is properly verified by a notary or other attesting official. No magistrate court shall refuse to accept such mail filings.

Former Rule 15 renumbered as new Rule 32 effective October 28, 1993.

Rule 33. Computing Answer Dates in Civil Actions

Except as otherwise provided by time period computations prescribed by statute, to compute the date an answer is due in civil actions, begin counting on the day following the day of service and count the number of days. If the last day falls on a Saturday, Sunday, or legal holiday, then the next regular business day becomes the day the answer is due. When the period of time is less than seven (7) days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation.

Former Rule 16 renumbered as new Rule 33 effective October 28, 1993.

Rule 34. Answer to Civil Actions

34.1. Oral Answers and Counterclaims to Civil Actions

Oral answers and counterclaims, if any, to civil actions must be given in person to a clerk or judge of the magistrate court. The clerk or judge shall reduce such answer to writing, have the defendant sign it and then file it with other papers in the case.

34.2. Setting Hearing Date in Dispossessory Proceedings

If a defendant in a dispossessory proceeding files an answer and/or counterclaim, a trial on the issues may be held within 7 days from the date the answer is filed.

Former Rule 17 amended and renumbered as new Rule 34 effective October 28, 1993. Former Rule 34 renumbered as subsection 34.1 and a new subsection 34.2 was added effective June 10, 1999; amended effective March 22, 2001.